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ABSTRACT

The Inner Circle project addresses the leadership staff and community education needs of Ontario's Native peoples as they relate to the introduction and implementation of the Young Offenders Act of 1984. The project is the first phase of a unique education process supporting self-determination, local control, and institution-building among aboriginal peoples. The project has eight discrete sections, tailored to meet the unique character, mandate, and developmental stage of each organizational member of the Ontario Native Council on Justice. The organizations represent various tribes or groups of status Indians, non-status Indians and Metis, Native women, and Native law students. Inner Circle objectives include: (1) providing appropriate information and resources concerning the Young Offenders Act; (2) involving Native peoples in the design, implementation, and follow-up of education and training related to the Act; (3) encouraging personal accountability, community involvement, and parental responsibility, as stated in the Act; (4) supporting Native self-determination in the justice-related field; (5) increasing Native awareness of problems facing Native youth, families, and communities; and (6) encouraging development of skills appropriate to community-based development and planning. Plans for workshops, community education strategies, and other activities are summarized for each member organization. Also discussed are the roles of legal and community resource people and alternative forms of project administration. (SV)

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SUMMARY DESCRIPTION

"THE INNER CIRCLE"

STAFF DEVELOPMENT
AND
COMMUNITY EDUCATION

BILL C - 61

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March 1984

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INNER CIRCLE - SUMMARY

(A) Description of Process

The project, Inner Circle involved consultation with the eight major Native organizations in the Province of Ontario. The methodology used was a participatory model. It was felt this model of consultation was most appropriate given the nature of the project and the state of Native political affairs in the province. Late 1982, during the development of the project, was a period of intense political activity as the four Indian Organizations, the Metis and Non-Status Organization and the Native Women's organizations prepared to meet with the First Ministers of Canada, for the first time. The project had to be cognizant and sensitive to the political realities, without losing sight of the project's primary objectives.

Contact was made with the elected leadership of each of the organizations after an initial briefing with a staff member or representative of the organization. As a result of these preliminary steps, individuals within each organization were identified to work with the project. Through this method, the organizations were able to provide direction to the planning process.

In most cases, a very general study outline was shared with each representative describing objectives of the project. Discussions were held with each representative which resulted in the preparation of a draft outline designed to meet their organization's needs. In most cases the idea of developing co-operative plans was felt to be premature, and would require extensive consultation at the political

and technical level. At subsequent meetings, the drafts were clarified and modified as required.

The eight plans were later consolidated within the report "Inner Circle" and presented to Ontario Native Council on Justice (ONCJ). February 1983, the report was accepted by the ONCJ full Council.

(B) RATIONALE AND DISCUSSION OF ASSOCIATION-SPECIFIC APPROACH

The Inner Circle Project involves essentially eight (8) discrete plans designed to meet the specific training and educational needs of each member organizations. The proposal it should be remembered is the first phase of a unique education process which will support and enhance the movement of aboriginal people toward greater self-determination and local control. The following are some of the factors which influenced the design of this project.

- The methodology used in the design stage was participatory allowing for the organizations to determine the direction of the project. Without the ownership of the project in the hands of the associations a development education process cannot be initiated or carried out.
- The development of contemporary aboriginal systems institutions are in the developmental phases. In some cases, there was a hesitancy to engage in a process where the implications are unclear.

Specifically, the associations have not had a great deal of experience in co-operative planning. This has been due to a number of factors. They include:

- differing association mandates
- differing constituencies, Status Indian, urban, women, Metis and non-status etc.
- differing organizational structures and decision-making mechanisms.

- regional diversity in North-South
- diversity in political orientation and development philosophies
- few mechanisms for on-going exchange of information and planning
- limited association resources to develop inter-associations relationships

(C) SUMMARY DESCRIPTION

The project Inner Circle is specifically designed to begin to address the leadership staff and community education needs of Native people of Ontario as they relate to the introduction and implementation of The Young Offenders Act - Bill C-61.

Developed in consultation with the eight member organizations of the Ontario Native Council on Justice, the plan includes eight discrete sections. Each section has been tailored to meet the unique character, mandate and developmental stage of the member organization as the native people (whom they represent and serve) move toward greater self-determination and local control.

INNER CIRCLE is seen as the first phase of a development education process. Phase II will be developed based upon directions and decisions provided by the participating Aboriginal Association during this phase. The education and training plans are still evolving and will require some clarification and negotiation during the early stages of Inner Circle Phase I, implementation

OVERALL OBJECTIVES - INNER CIRCLE

- (1) To provide appropriate information and resources regarding the introduction and implementation of the Young Offenders Act Bill C-16 to the eight members association of the Ontario Native Council on Justice.
- (2) To ensure Native People/Ontario are involved in the pre-planning design, implementation and follow-up of educational and training developments as they relate to the Young Offenders Act.

- (3) To encourage the development of personal accountability, community involvement and parental responsibility, in keeping with the stated principles of the Young Offenders Act.
- (4) To support and enhance the development of the Native people of Ontario as it relates to their efforts towards greater self determination and local control particularly in the justice related field.
- (5) To increase awareness among Native people in Ontario regarding the problems facing Native youth, families and communities.
- (6) To encourage the development of skills appropriate to community-based development and planning ie. needs assessment

In general, the complete Inner Circle Development Education cycle would contain the following phases.

- (1) Developmental
- (2) Association Leadership
- (3) Association Staff
- (4) Community Resource people - Representatives
- (5) Community Education - (Developmental)

The following is a brief summary of each of the associations planned activities:

- (1) ANISHNAWBE-ASKI - Initial three day workshop with representatives from each of six (6) Tribal Council Areas and association staff. Introduction to YOA within context of cultural and political aspirations. Needs Assessment and planning to determine interest and possible future involvement. Will require special meeting.
- (2) TREATY #3 - Two development education workshops in Treaty #3 area with broad section of Native leadership and community representations. Will include introduction YOA, Needs Assessment and action planning. Will require special meetings.
- (3) UNION OF ONTARIO INDIANS - Introduction of YOA to staff and Executive Board of Directors. To be placed on agenda of regular meeting. Decisions and planning regarding presentations at four regional Chiefs meeting. Introduction education, and planning regarding YOA at Four (4) regional Chiefs meetings - Utilization of existing meeting network.
- (4) ASSOCIATION OF IROQUOIS AND ALLIED INDIANS - Preliminary introduction of YOA to Board of Directors and staff using existing meeting network. Plans include one and half day workshop with staff and selected community representatives subject to Board Approval. This would also involve use of existing meeting network.
- (5) ONTARIO NATIVE WOMEN'S ASSOCIATION - Through existing meeting network, project would meet with Board of Directors, to introduce YOA and develop plans for Trainers (Resource People) Workshop. A special Trainer workshop would be delivered involving representatives for ONWA locals from across province.

representatives for ONWA locals from across province.

- (6) ONTARIO FEDERATION OF INDIAN FRIENDSHIP CENTRES - Using existing meeting network, staff of OFIFC and other selected individuals would participate in a one and a half day workshop around the introduction and implementation of the YOA.
- (7) ONTARIO METIS AND NON-STATUS INDIAN ASSOCIATION - Using existing meeting network, presentation of YOA package to Board of Directors and staff. Will include planning for Zone meetings (next phase).
- (8) NATIVE LAW STUDENTS - No meeting is required but will involve development of written resource package for members.

(D) FOLLOW-UP ACTIVITIES

The most important aspect of the Inner Circle project is the Community Education component. This component, for most of the organizations would fall into a follow-up phase. The design and development of the follow-up phase is largely dependent on the decisions and plans made in the leadership and staff education phases. As the member associations are each unique, the nature of the follow-up plans would vary, but in general would adhere to the following areas of activity. It should be noted that the organizations do not currently have staff who are mandated to working specifically in the justice area. Any follow-up activities would require the necessary resources for the developmental work involved.

FOLLOW-UP AREAS OF ACTIVITY

I LEGAL RESEARCH

Identification of further legal research areas that may have to be explored in the relationship of the Young Offenders Act to Aboriginal self-government. This could be done province wide, association specific or possibly content specific ie. Provincial offences.

II COMMUNITY EDUCATION - RESOURCE PEOPLE

Community education and training for community representatives. This would include workshops similiar to the proposed Ontario Native Womens Associations and Union of Ontario Indians workshops. Three days with YOA information and skill development in the area of local needs assessment, community organization-local programme development related to increasing community involvement and parental responsibility in the judicial process. Possible linkages with justice related personnel. Youth Workers, Youth Court etc.

III COMMUNITY EDUCATION - LOCAL LEVEL

May include local justice-related projects; Prevention/Diversion, project Sentencing Alternative, Local Justice Councils, Wilderness Camps.

IV ORGANIZATION SPECIFIC FOLLOW-UP

The following are possible organization specific follow-ups to the Inner Circle Project. It should be noted that as the process evolves there will increased opportunity for co-operation between organizations at the regional and local levels.

(1) Anishnawbe-Aski

(a) Association Leadership - Six meetings, one for each of the tribal council areas, as follow up to initial developmental workshop. These presentations could be a part of a scheduled meeting of the Tribal Council Chiefs. Presentations would include the sharing of translated (Cree-Ojibwe) information regarding YOA and discussion of community participation strategie. Facilitators should be fluent in local languages. Translation/Interpretation of YOA.

(b) Community Education Representatives - Three day workshops with community representatives with each of Anishnawbe Tribal Council Areas. A total of six workshops each of which would require financing for pre-workshop planning, implementation and follow-up, Financing would be required to cover travel and accomodation costs for participants. Facilitators should be fluent in local language. Would require interpreted/translated YOA resource materials.

(2) TREATY #3

Community Education - Follow-up may include demonstration projects and pilot projects with resources required for the purpose of developmental work at the community and political levels. May require translated/interpreted YOA resource materials.

(3) ASSOCIATION OF IROQUOIS AND ALLIED INDIANS

(a) Staff and Selected Community Representative Workshops - Staff and community representatives workshop to plan local community education and training - could be included in phase I.

(b) Community Workshops

(i) Up to three day workshops at community level with cross selection of community representatives. Training and information - development of community plans.

(ii) Contracting of Facilitators to work directly with communities.

(4) UNION OF ONTARIO INDIANS

(a) Band Representatives and Band Staff

Three day workshops with band representatives or Band staff. Information, skill development and planning support provided through workshop. Maybe one major workshop in central location or up to four workshops, one in each of Union of Ontario Indians regions. Could possibly be delivered in association with other Native organizations.

- (b) Feed-back to Community and Local Follow-Up
- (c) Community Resource People Follow-Up - 5 months later.

(5) ONTARIO NATIVE WOMEN'S ASSOCIATION

In addition to the Trainers workshop, which has been developed in the Inner Circle proposal O.N.W.A. is proposing (a) Community Workshop - for parents and community members other local groups to start developing YOA related plans (b) Resource People Workshop-Follow up to five months later.

(6) Ontario Metis Association - Follow-up

Mini Workshop and presentation at the five zone meetings which are regularly held at least once year in each zone. Further to these presentations local community follow-up plans would be developed.

(7) Ontario Federation of Indian Friendship Centres - As a result of the OFIFC staff training workshop. Community Education strategies will be developed. These plans may involve linkage to other organizations and development of local or regional workshops.

(E) Role of Legal Resource People

Federal, Provincial and Aboriginal governments, at the national level, are beginning to explore some of their relationships and responsibilities regarding Aboriginal rights and self government. This includes the area of Aboriginal administration of justice.

The Specific legislative, policy and program issues implications are as yet unclear, requiring extensive research, consultation and negotiation. This work is at a preliminary stage of development subject to the Constitutional discussion and negotiated arrangements.

Concurrently Associations and native communities at a local level are beginning to recognize and exercise their rights and responsibilities as aboriginal peoples in the field of self-determination and local control. This is most clearly demonstrated in the area of Native Child Welfare which has become a major focus of development not only in Ontario but across Canada. In many ways similar attention and energy will be required if the problems of the Native Youth Offenders and related problems, due to structural disadvantages are to be overcome.

Clearly the implementation of the Young Offenders Act must be consistent with the cultural and political aspirations of the aboriginal people of Ontario. The Inner Circle includes budget items to cover legal research, and resource people costs. The legal resource person role would vary from organization to organization. In general there are two major phases to the legal resource people's work. They include (1) legal research and (2) (a) pre-presentation planning (b) presentation and (c) follow-up.

PHASE I - LEGAL RESEARCH - FUNCTIONS

- legal research related to the relationship of YOA to the issue of aboriginal self-determination and local control
- legal research related to Act's relationship to Indian Act, Charter of Rights, Provincial legislation, Constitution of Canada and other legislation
- identification of further research issues and areas

PHASE II PRESENTATION AND FOLLOW-UP - FUNCTIONS

- presentation and discussion of findings to Association leadership, and staff and community representative as required
- involvement in the process of planning development of follow-up with association leadership related to YOA project.

It is expected that the resource people would be familiar with the cultural and political aspirations of the associations, and would be familiar with some of the unique characteristics of justice administration in Ontario.

The work may be more appropriately broken up into segments, in order to better meet the overall needs of the organizations. The study calls for 27 legal working days at \$300/day. The cost for legal research may vary dependent upon experience of researcher and nature of work. Roughly speaking this would include \$2,700 for each major phase. The following are a number of alternatives related to the legal resource person phase of the project.

Alternative I

Through the project each organization hires their own legal researcher to carry out work, with person responsible for research, presentation and follow-up with their organization.

PROS

- would be more able to accurately identify the unique needs of their organization (probable familiarity with organization)
- would provide for a number of individuals to become resource people regarding YOA

CONS

- limited in-depth work
- possible duplication of effort

ALTERNATIVE II

CENTRALIZED LEGAL RESEARCH

Contract legal researcher or firm to research overall issues of YOA implementation in the context of Aboriginal local control using portion of monies available for legal resource people. Legal Resource package developed. Association legal representative would supplement information and modify to accomodate their associations perspective, present and follow-up.

PROS

- Relatively indepth exploration of issues involved

CONS

- may not fully represent each organization perspective

- avoids duplication

- time and energy required for
involvement with organization

ALTERNATIVE III

CENTRALIZED LEGAL RESEARCH - ADDITIONAL

Additional monies added for legal research phase.

Divide legal research work into two areas:

- (a) on-reserve status Indian people
- (b) non-status, urban/rural native people
examine issues as they relate to YOA
implementation and Aboriginal
local control.

Using monies available for legal research, people develop two legal resource packages. Make available to association legal representative. Association legal resource people would supplement and modify, present and follow-up.

PROS

- most in-depth work
- apt to represent more
of organizations viewpoints
- would complement work currently
underway at national and
provincial level

CONS

- will require co-ordination
of two legal research areas.
- will require time and energy
to ensure organizations are
a part of decision
- would require additional
financial resources

(F) Role of Community Resource People

The Community Resource Persons role is key, to the overall implementation of the Inner Circle Project. The role may be more appropriately called Project Resource Person. The complexity and sensitivity of the work, would require an individual(s) with considerable experience both at the political association level and community level in participatory community-based development. In order to be able to effectively accomodate the diverse needs of the associations, it may be more efficient and expedient to contract one individual to deliver the project training and education programs full-time. Included below is a list of some of the functions of the project resource role.

- Responsibility for liaison with the associations in overall co-ordination and scheduling of the presentations and workshops. (adherence to organization protocol)
- Be responsible along with organization staff for the research, pre-planning and design of presentations and workshops to organization leadership and staff including logistical arrangements as required.
- To be involved in the actual delivery of the presentations, and workshops acting as (a) resource person regarding Y.O.A., it's implications relationships and potential opportunities (b) facilitation and/or (c) group leader (d) trainer as required.
- To be involved with associations in preparation of appropriate follow-up documentation, planning and research as required.

It would be useful for the community resource people to have had

experience with Needs Assessment work with such techniques as the Nominal Group Techniques and/or "Ah Ha! Community Needs Strategy along with learner-centered program planning.

- In addition the community resource role would include responsibility for financial and administration aspects of the project including negotiations with resource people and organization as required.
- Liaison and cooperation with appropriate organization agencies involved in the implementation of the Young Offenders Act.
- To be responsible for designing and implementing three day community workshops in consultation with organization, duties would include training community representative in the area of needs assessment, community profile development, programme planning and development of action plans around the area of youth needs and YOA.
- Briefing of legal resource people and other resource people, facilitators etc.
- Develop of Inner Circle phase II proposal in consultation with member associations.
- Liaison with ONCJ - Young Offenders Act Steering Committee.

NOTE: This is an expansion of Project Resource Persons role-broader than was originally envisioned in. THE INNER CIRCLE
March 1983

(G) Administration and Material Costs

The material costs would include xeroxing, purchase and packaging of YOA materials and other resource materials appropriate to the presentations and workshops. This would include original report from the legal research phase and/YOA Workers project. In the case of Anishnawbe-Aski workshop, the material costs includes the translation into Cree and Ojibway-Cree of appropriate materials for the participants.

The administrative costs would include telephone, typing service, mailing of materials and reports etc. Included in the Treaty #3 and ONWA budget is the costs for typing and xerox services during the course of the workshops, Group reports will be made available on-site each day for the participants to help facilitate problem-solving.

(H) ROLE OF THE ONTARIO NATIVE COUNCIL ON JUSTICE

The limited time frame of the Inner Circle did not allow for the lines of accountability and areas of responsibility to be made clear with each council member organization and the ONCJ. This would have required further consultation with each organization. Decisions by the council and the member organization will have to be made in this area. The following are a number of alternatives:

ALTERNATIVE I - DECENTRALIZED

I Each organization administer, the aspect of Inner Circle which pertains to them. This would require each organization contracting individually community (project) resource persons, legal advice and the other resources according to prescribed budget. ONCJ would have limited involvement aside from making available documentation and suggested resource materials. Contracts between government and organization would have to be negotiated separately.

PROS

- each organization would be autonomous
- would not put additional work-load on ONCJ

CONS

- may be unco-ordinated and inefficient
- would put additional work load on member organization
- lack of continuity

ALTERNATIVE II - CENTRALIZED

The ONCJ be responsible for overall co-ordination implementation and follow-up planning as required by the project. Would include additional funding to:

(1) Cover travel and expenses of ONCJ - Young Offenders Act Sub-committee

(2) Hiring of full-time staff person to act as Community (Project) Resource Person. Responsibilities would include: preliminary project consultation with association, implementation and follow-up to project, sub-contracting with organization and individuals aspects of project where appropriate, ie. Treaty #3 developmental workshop and legal research etc.

PROS

- co-ordinated approach
- efficient use of resources
- would not require organizations to extend limited resources to any major degree

CONS

- would require additional financing

(I) ROLE OF YOUNG OFFENDERS WORKERS PROJECT-AN ONCJ PROJECT 1983-84

The intent of the Young Offenders Act Development workers project was to over a period of six months, determine and identify special community needs which may arise from the possible impact of the Young Offenders Act. Funding co-ordinated through the Ministry of Correctional Services, the two workers were to pay "special attention to the youthful native offenders in the following areas (i) in-court representation and procedures, (ii) Dispositions (iii) Prevention/Diversion." Specifically the objectives were to (1) design and conduct a community education program concerning the Young Offenders Act. (2) To assist communities in identifying their needs. (3) to develop two appropriate community alternatives for Native Young Offenders 12 - 16 years of age. The Young Offenders Act Workers project will be a valuable resource for the Inner Circle. The project is well documented with potential impact and relationship to the Inner Circle including:

- development and identification of appropriate written and audio-visual resources
- development of appropriate community education approaches and techniques - particularly Needs Assessment, Community Profile development, Community-based Program Planning, inter-organization/agency co-operation
- identify potential obstacles and problem areas related to community education ie. protocol and procedures, follow-up
- identify areas requiring further research ie. Young Offenders relationship to non-criminal offences ie. Provincial jurisdiction
- identify problems of native youth, parents and community
- to help create examples for other communities considering similar

types of projects (spin-offs)